

REMARKS

Claims 23, 28, and 33 were objected to for being in improper form. These claims have been canceled and withdrawal of the objection is respectfully requested.

Claims 1, 3-4, 6-8, 10-11, 13-15, 17-18, and 20-21 were rejected as unpatentable over SAUER et al. WO 00/72485 in view of FOWLER 5,793,978. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1, 8, and 15 have been amended to clarify the definition of the invention. The amended claims provide, among other features, that the page-area managing router transfers packets to subordinate routers only when a quantity of the packets does not exceed a predetermined number in a predetermined time period, and does not transfer packets that are received in the predetermined time period in excess of the predetermined number. The references do not disclose this feature and thus amended claims 1, 8, and 15 would not be obvious to one of skill in the art.

FOWLER discloses at column 1, lines 49-51 that broadcast messages are queued and held until bandwidth becomes available. That is, the messages are sent later, in contrast to claims 1, 8 and 15 in which the packets that are received in the predetermined time period in excess of the predetermined number are not transferred. FOWLER also discloses at column 3, lines 31-40, placing packets in a transmit queue and restricting the

number of packets in the queue. However, there is no indication that the packets no longer queued in the transmit queue are not transmitted later (indeed, column 1, lines 49-51 states that they are), and there is no indication that there is a time constraint. That is, there is no indication that the system in FOWLER does not transfer packets that are received in the predetermined time period in excess of the predetermined number.

Accordingly, claims 1, 8, and 15 and the claims dependent therefrom avoid the rejection under §103.

Claims 2, 9, and 16 were rejected as unpatentable over SAUER et al. in view of FOWLER and RFC 793 (page 41). Reconsideration and withdrawal of the rejections are respectfully requested for the reason set forth above, and for the further reason set forth below.

The Official Action acknowledges that SAUER et al. and FOWLER do not disclose discarding the excess packets and relies on RFC 793 (page 41) for the suggestion to further modify the primary reference. The Official Action did not provide a copy of page 41 (the cover and pages 3 and 9 were provided). Page 41 of RFC 793 was retrieved and reviewed. This page explains retransmission timeout and does not appear to be relevant. The pages provided with the Official Action were also reviewed and do not appear to be relevant. Page 9 describes that when the TCP transmits a segment containing data, a copy is placed in the retransmission queue. Once the acknowledgment for the data has

been received, the copy is deleted from the queue. In other words, once the data has been received, the copy is no longer needed and thus can be removed from the retransmission queue. This is not a suggestion for the page-area managing router to discard the packets that are received in the predetermined time period in excess of the predetermined number. Reconsideration and withdrawal of the rejection, or a further explanation with a corrected citation in a new non-final official action, are respectfully requested.

Claims 5, 12, and 19 were rejected as unpatentable over SAUER et al. in view of FOWLER and ALLEN Jr. et al. 6,169,735. Reconsideration and withdrawal of the rejections are respectfully requested for the reasons set forth above.

Claims 22-36 were rejected as unpatentable over SAUER et al. in view of SRIKANTH et al. EP 1 011 231 A2. Claim 22 has been amended to include the subject matter of claim 24, claim 27 has been amended to include the subject matter of claim 29, claim 32 has been amended to include the subject matter of claim 34, and reconsideration and withdrawal of the rejection are respectfully requested.

These amended claims provide, among other features, that the selection of one of the associated routers in each router set is made by a selected higher level router which manages the associated routers. The Official Action points to paragraph 0006 of SRIKANTH et al. for the suggestion to modify

SAUER et al. to include this feature. However, SRIKANTH et al. disclose that if the master router fails (e.g., ceases to send advertisements) then the backup router takes over. The discussion indicates what the backup router does, but does not indicate that selection of one of the routers is made by a higher level router. In the context of paragraph 0006, the reference does not state that a higher level router tells the backup router to take over. The backup router takes over when one of the listed events occurs, without having been selected by a higher level router.

Accordingly, claims 22, 27, and 32 and the claims dependent therefrom avoid this rejection under §103.

Claims 37-43, 50-57, 64-71, 78-85, and 92 were rejected as unpatentable over SAUER et al. in view of EKLUND et al. WO 00/54475. Claims 37, 51, 65, and 79 have been amended and reconsideration and withdrawal of the rejection are respectfully requested.

Amended claims 37, 51, 65, and 79 provide, among other features, that one of the routers transfers a packet to not only a first base station that is currently linked to the mobile host but also transfers the (same) packet to a second base station that is adjacent to the first base station and not currently linked to the mobile host.

EKLUND et al. describe a system that uses both unicast and multicast procedures. The unicast procedures are used for

intra-site handovers and multicast procedures are used for inter-site handovers. The multicast procedure (Figure 4 and pages 13-14) includes sending packets to the mobile terminal along dashed line 3. When the mobile terminal moves to another region handled by another subnetwork of the same internet site, the mobile terminal undergoes an intra-site handover, such as shown by dashed line 4. However, the reference does not state that a (same) packet is transferred not only to a first base station that is currently linked to the mobile host but also to a second base station that is adjacent to the first base station and not currently linked to the mobile host. It appears that the handover in EKLUND et al. is conventional and does not involve sending the same packet to both currently linked and currently unlinked base stations.

Accordingly, claims 37, 51, 65, and 79 and the claims dependent therefrom avoid this rejection under §103.

Claims 44-49, 58-63, 72-77, and 86-91 were rejected as unpatentable over SAUER et al. in view of EKLUND et al. and RFC 793. These claims are allowable for the reasons given above and withdrawal of the rejection is respectfully requested.

Consideration of the IDS filed December 13, 2004 is respectfully requested. The IDS includes the concise explanation that the references were cited by the Japanese Patent Office in an Official Action. A copy of the Japanese Official Action in which they were cited was attached, with what is believed to be

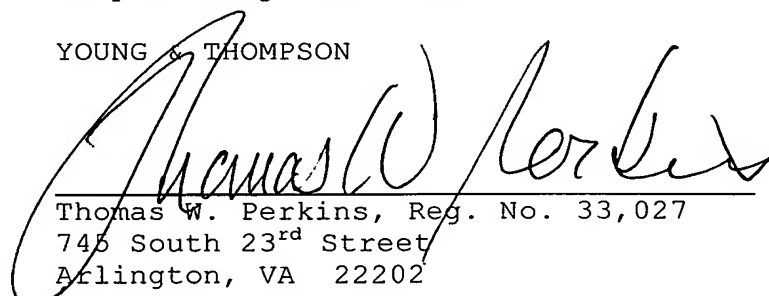
the pertinent portion enclosed in a wavy line. An English translation of the enclosed portion was also attached. Accordingly, the IDS complies with the requirements for consideration (see MPEP 609 III A(3)).

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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